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KEVIN V. RYAN (CSBN 118321)  
United States Attorney

EUMIL L. CHOI (WVSBN 0722)  
Chief, Criminal Division

SUSAN KNIGHT (CSBN 209013)  
Assistant United States Attorney

150 Almaden Blvd., Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5056  
FAX: (408) 535-5066  
Susan.Knight@usdoj.gov

Attorneys for Plaintiff

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RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

PUT

UNITED STATES OF AMERICA,

Plaintiff,

v.

THUY PHUOC DINH,  
a/k/a Pierre Dinh,

Defendant.

No. CR 06-00195 RMW

[PROPOSED] ORDER EXCLUDING TIME  
FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §§ 3161(h)(8)(A)  
& 3161(h)(8)(B)(iv))

On April 5, 2006, the parties appeared before the Court for an arraignment on an indictment. After the defendant was arraigned and entered a plea of not guilty, the parties scheduled an appearance before the Honorable Judge Whyte on May 8, 2006 at 9:00 a.m. Assistant United States Attorney Susan Knight then requested an exclusion of time under the Speedy Trial Act from April 5, 2006 until May 8, 2006 in order for the government to provide discovery to the defendant's attorney, Robert Amparan. The defendant, through Mr. Amparan, agreed to the exclusion. The parties stipulated and agreed that an exclusion under the Speedy

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[PROPOSED] ORDER TO EXCLUDE TIME  
CR 06-00195 RMW

1 Trial Act was appropriate based on the defendant's need for effective preparation of counsel.

2 SO STIPULATED.

KEVIN V. RYAN  
United States Attorney

3 DATED: \_\_\_\_\_

\_\_\_\_\_/s/  
4 SUSAN KNIGHT  
Assistant United States Attorney

5 DATED: \_\_\_\_\_

\_\_\_\_\_/s/  
6 ROBERT M. AMPARAN  
7 Counsel for Mr. Pierre Dinh

8  
9 Accordingly, the Court HEREBY ORDERS that the time between April 5, 2006 and May  
10 8, 2006 is excluded under the Speedy Trial Act. The Court finds that the failure to grant the  
11 requested continuance would deny the defendant effective preparation of counsel. The Court  
12 finds that the ends of justice served by granting the requested continuance outweigh the best  
13 interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal  
14 cases. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C.  
15 §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

16 IT IS SO ORDERED.

17  
18 4/28/06  
Dated

Patricia V. Trumbull  
19 PATRICIA V. TRUMBULL  
United States Magistrate Judge